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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT

PAPER NUMBER

2165

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/903,474

Applicant(s)

GIMBERT ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on May 11, 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11-May -2006 has been entered.
2. The amendment filed on 11-May -2006 has been received and entered. Claims 1-18 are pending

### ***Claim Objections***

3. Claims 1-18 are objected to because of the following informalities:

Claims 1, 6, 12, and 13, recite “for”, “using”, “wishes”, and “such that” all of which constitute intended use making the functionality following not carry any patentable weight since it never actually have to take place. Claims should be amended to recite more direct and positive language such as “is”, “to”, “of”, “that”, “representing”, or “defining”. Correction is required.

Independent claim 1 is directed to "A method for communicating" in the preamble, later on, dependent claims 2-5, introduce the statement of “A method according to claim 1” making it vague and unclear to the Examiner if a new method separate from the proceeding one, takes

place, after the initial process or if the claims are meant to be independent claims and therefore should be written as such. Claims 2-5 lack sufficient antecedent basis.

Dependent claims should be constructed to be preformed the same method introduced in the Independent claim of which they dependent. Correction is required.

Similarly, dependents claims 7-11, and 14-18 have the same deficiency.

Claim 6, line 16, recite "second business entity; data stored in said" without any transition to tie the two sentences together except for the semicolon. Thus making it unclear what is meant to be stored and how it related to the second business entity. Correction is required.

#### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1, 6, 12, and 13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. That claims do not recite a practical application by producing a physical transformation or producing a useful, concrete, and tangible result. To perform a physical transformation, the claimed invention must transform an article of physical object into a different state or thing. Transformation of data is not a physical transformation. A useful, concrete, and tangible result must be either specifically recited in the claim or flow inherently therefrom. To be useful the claimed invention must establish a specific, substantial, and credible utility. To be concrete the claimed invention must be able to produce reproducible results. To be tangible the claimed invention must produce a practical application or real world

result. In this case the claims fail to produce a tangible result because “selectively accessing” is not actually performing the step of accessing.

6. Claim 12, appears to be directed to a data structure per se which is not statutory directed to functional descriptive material per se without any practical application to produce useful, concrete and tangible result would be statutory. Likewise, there is case law to support that a proper data structure needed to be stored on a computer readable medium to be statutory. “Functional descriptive material” includes data structures and computer programs, which impart functionality when employed as a computer component. Claim should be amended to recite a practical application performing useful, concrete, and tangible result.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1, 6, 9-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6, line 5, recites “configured to cause to be displayed” which is vague and unclear. What is exactly being claimed? The display or the configuration or the functionality of being displayed? Correction is required.

Claim 13, line 6, recites “to cause to be displayed” which is vague and unclear. What is exactly being claimed? The display or the configuration or the functionality of being displayed? Correction is required.

Dependent claims 9-11 all start with the recitation “A web-based system in accordance with claim 7”, although claim 7 did not make any mention to “A web-based system” instead it is directed to merely “a system”. Therefore, making the claims fail to correspond in scope with that which applicant regards as the invention.

Dependent claims 14-18 all start with the recitation “A system in accordance with claim 14”, although claim 14 is directed to “A Web-based communication system”. Therefore, making the claims fail to correspond in scope with that which applicant regards as the invention.

Claims need to be amended to recite proper preamble agreement.

Independent claims 1, 6, 12, and 13, all end with the last limitation as being “selectively accessing” making it indefinite since its not clear if the accessing is actually taking place or not? And how does the selection and on what basis is it performed?

Claim 6 recites the limitation "the user browser" in line 17. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. Since the claim does not distinct the preamble from the body of the claims. The Examiner is unclear on what constitutes the claimed invention.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 6 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Hobbs (U.S. Patent No. 6,523,022 B1).

As to claim 6, Hobbs discloses a system for communicating information to a user via a computer including a browser, said system comprising:

a first server system controlled and operated by a first business entity comprising a first web server and a first database including data owned by the first business entity, said first web server coupled to said first database and to said network, said first web server configured to cause to be displayed at said computer a first web site populated with data from said first database; and

a second server system controlled and operated by a second business entity comprising a second web server and a second database including data owned by the second business entity, said second web server coupled to said second database and to said network, said second web

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server configured to cause to be displayed at said computer a second web site populated with data from said second database, said first web site and said second web site synchronized to function together as a collaborative web site such that at least a portion of the data included in the collaborative website is hosted from the first website by the first business entity and at least a portion of the data included in the collaborative website is hosted from the second website by the second business entity such that the collaborative web site is hosted jointly by the first and second business entity, data stored in said first server system database selectively accessible to said browser via said second server system, data stored in said second server system database accessible to the user browser via said first server system.

As to claim 7, Hobbs discloses wherein said data stored in said first server system and said second server system accessible to the user browser based on individual access privileges.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-5, 8-10, 12-16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs (U.S. Patent No. 6,523,022 B1) in view of Garrow et al. (U.S. Pub. No. 2002/0194160 A1).

As to claim 1, Hobbs discloses a method for communicating information using a system including a first server system controlled and operated by a first business entity and a second server system operated by a second business entity, the first server system including a first web server hosting a website of the first business entity and a first database including data owned by the first business entity, the second server system including a second web server hosting a website of the second business entity and a second database including data owned by the second business entity, said method comprising the steps of:

coupling the first web server to the first database controlled by the first business entity, wherein the first web server populates a first web site with data from the first database, the data including information that the first business entity wishes to share with the second business entity (See Hobbs column 14, lines 50-65, wherein “first server system” deemed to include the original Web site of the business –i.e. “E&Y, Lexis/Nexis”);

coupling the second web server to the second database controlled by the second business entity, wherein the second web server populates a second web site with data from the second database, the data including information that the second business entity wishes to share with the first business entity (See Hobbs column 25, lines 29-35, and Hobbs column 28, lines 44-60, also see Hobbs column 14, lines 50-65, wherein “second server system” deemed to include the “warehouse system”);

synchronizing the first web site and the second web site to function together as a collaborative web site such that at least a portion of the data included in the collaborative website is hosted from the first website by the first business entity and at least a portion of the data included in the collaborative website is hosted from the second website by the second business

entity such that the collaborative web site is hosted jointly by the first and second business entity (See Hobbs column 3, lines 50-52, prior art., also see Hobbs column 7, lines 19-29, and see Hobbs column 10, lines 13-27); and

selectively accessing the first web site and the data stored in the first server system database by the second business entity via the collaborative website (See Hobbs column 25, lines 11-20); and

selectively accessing the second web site and the data stored in the second server system database by the first business entity via the collaborative website (See Hobbs column 25, lines 11-20).

Hobbs does not teach aircraft and aircraft engine information.

Garrow et al. teaches aircraft and aircraft engine information (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hobbs by the teaching of Garrow et al. to include aircraft and aircraft engine information because providing specific records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

As to claim 2, Hobbs as modified discloses wherein said step of coupling the first web server to the first database further comprises the step of providing a first server system (See Hobbs column 11, lines 63-67, also see Hobbs column 14, lines 45-59) hosted by an aircraft

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engine manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

As to claim 3, Hobbs as modified discloses wherein said step of coupling the second web server to the second database further comprises the step of providing a second server system hosted by an aircraft engine manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

As to claim 4, Hobbs as modified discloses wherein said step of selectively accessing the first web site and the data stored in the first server system further comprises the step of selectively accessing data from the first and second server systems based on individual access privileges (See Hobbs column 11, lines 63-67, also see Hobbs column 14, lines 45-59).

As to claim 5, Hobbs as modified discloses wherein said step of selectively accessing data stored in the first server system further comprises the step of selectively accessing (See Hobbs column 11, lines 63-67, also see Hobbs column 14, lines 45-59) at least one of aircraft engine and aircraft data relating to at least one of general information data, plans and schedules data, propulsion systems data, and engineering data (See Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

As to claim 8, Hobbs discloses said first server system, said second server system hosted by a business partner (See Hobbs column 35, lines 27-35, wherein “partner” reads on “sponsor”).

Hobbs does not teach hosted by a turbine engine manufacturer.

Garrow et al. teaches hosted by a turbine engine manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hobbs by the teaching of Garrow et al. to include hosted by a turbine engine manufacturer because providing specific records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

As to claims 9, and 10, Hobbs discloses wherein at least one of said first database and said second (See Hobbs column 25, lines 12-17).

Hobbs does not teach database includes aircraft engine data relating to at least one of general information data, propulsion systems data, and engineering.

Garrow et al. teaches database includes aircraft engine data relating to at least one of general information data, propulsion systems data, and engineering (See Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hobbs by the teaching of Garrow et al. to include hosted by an aircraft engine manufacturer; hosted by a business partner of the aircraft engine manufacturer; and at least one of plans and schedules, propulsion systems, and engineering because providing specific records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

As to claim 12, Hobbs discloses a database structure configured to be protected from access by unauthorized individuals, said database structure comprising a first database and a second database, said first database coupled to a first server system controlled and hosted by (a business) (See Hobbs column 14, lines 50-65, wherein “first server system” deemed to include the original Web site of the business –i.e. “E&Y, Lexis/Nexis”), said second database coupled to a second server system controlled and hosted by (a second business) (See Hobbs column 14, lines 50-65, wherein “second server system” deemed to include the “warehouse system”), at least one of said first database and said second database including information relating to at least one of general information, said first database linked to a first web site configured to be populated with data from said first database, said second database linked to a second web site configured to be populated from said second database, said first web site and said second web site synchronized to function together as a collaborative web site such as at least portion of the data included in the collaborative website is hosted from the first website by the manufacturer and at least a portion of the data included in the collaborative website is hosted from the second website such that the collaborative web site is hosted jointly by the first and second business entity (See Hobbs column 3, lines 50-52, prior art., also see Hobbs column 7, lines 19-29, also see Hobbs column 9, lines 8-25, wherein “first system” and “second system” reads on “first network source” and “second network source”, and see Hobbs column 10, lines 20-27)..

Hobbs does not teach controlled and hosted by an aircraft engine manufacturer; controlled and hosted by a business partner of the aircraft engine manufacturer; and at least one of plans and schedules, propulsion systems, and engineering.

Garrow et al. teaches hosted by an aircraft engine manufacturer; hosted by a business partner of the aircraft engine manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071);

and at least one of plans and schedules, propulsion systems, and engineering (See Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hobbs by the teaching of Garrow et al. to include hosted by an aircraft engine manufacturer; hosted by a business partner of the aircraft engine manufacturer; and at least one of plans and schedules, propulsion systems, and engineering because providing specific records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

As to claim 13, Hobbs discloses a web-based communications system comprising:

a computer comprising a browser; a network coupled to said computer (See Hobbs Figure 4, shows a networked computer with a browser);

a first server system controlled and operated (by a business) comprising a first web server and a first database, said first web server coupled to said first database and to said network, said first web server configured to cause to be displayed at said computer a first web site populated with data from said first database (See Hobbs column 14, lines 50-65, wherein “first server system” deemed to include the original Web site of the business –i.e. “E&Y, Lexis/Nexis”); and

a second server system controlled and operated (by a second business) comprising a second web server and a second database, said second web server coupled to said second

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database and to said network, said second web server configured to cause to be displayed at said computer a second web site populated with data from said second database (See Hobbs column 14, lines 50-65, wherein “second server system” deemed to include the “warehouse system”), said first web site and said second web site synchronized to function together as a collaborative web site such that at least a portion of the data included in the collaborative website is hosted from the first website and at least a portion of the data included in the collaborative website is hosted from the second website such that the collaborative web site is hosted jointly by the first and second business entity, data stored in said first server system database selectively accessible to said browser via said second server system, data stored in said second server system database is selectively accessible to said browser via said first server system (See Hobbs column 3, lines 50-52, prior art., also see Hobbs column 7, lines 19-29, also see Hobbs column 9, lines 8-25, wherein “first system” and “second system” reads on “first network source” and “second network source”, and see Hobbs column 10, lines 20-27).

Hobbs does not teach the business being an aircraft engine manufacturer and second business being a partner of the aircraft manufacturer.

Garrow et al. teaches the business being an aircraft engine manufacturer and second business being a partner of the aircraft manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Hobbs by the teaching of Garrow et al. to include hosted by an aircraft engine manufacturer or a partner of the aircraft manufacturer because providing specific

records dealing with one industry allows for efficiency and effective tracking of information thereby reducing business costs associated with the aircraft industry.

As to claim 14, Hobbs as modified discloses said first server system hosted by a turbine engine manufacturer, said second server system hosted by an aircraft manufacturer (See Garrow et al. page 6, paragraph 0058, also see Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071, wherein “turbine engine” reads on “jet engine”).

As to claim 15, Hobbs as modified discloses wherein said data stored in said first server system and said second server system accessible to the user browser based on based on individual access privileges (See Hobbs column 11, lines 63-67).

As to claims 16, and 18, Hobbs as modified discloses wherein said browser configured to selectively display aircraft engine data relating to at least one of general information data, plans and schedules data, propulsion systems data, and engineering data (See Garrow et al. column 9, lines 47-67, also see Garrow et al. page 8, paragraphs 0068-0071).

10. Claims 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs (U.S. Patent 6,523,022 B1) in view of Garrow et al. (U.S. Pub. No. 2002/0194160 A1) as applied to claims 2-3, 5-10, 12, 14-16, and 18 above, and further in view of Glass et al. (U.S. Patent No. 6,278,965).

As to claim 11 Hobbs as modified teaches said first database and said second database (See Hobbs column 2, lines 47-51).

Hobbs as modified still does not teach wherein at least one of said database maintains a record of navigation changes.

Glass et al. teaches wherein at least one of said first database and said second database maintains a record of navigation changes (See column 5, lines 34-51, wherein “maintains a record” reads on “flight history”, also see column 22, lines 38-63, wherein “navigational changes” reads on “flight plans”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Glass et al. to include wherein at least one of said first database and said second database maintains a record of navigation changes because the partnership will reduce business costs by introducing efficient information retrieval and processing.

As to claim 17, Hobbs as modified still does not teach wherein said browser configured to selectively display an historical log relating to navigational changes to said user interface.

Glass et al. teaches wherein said browser configured to selectively display an historical log (See column 5, lines 41-48) relating to navigational changes (See column 5, lines 34-51, wherein “maintains a record” reads on “flight history”, also see column 22, lines 38-63, wherein “navigational changes” reads on “flight plans”) to said user interface (See column 11, lines 12-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified Hobbs as modified by the teaching of Glass et al. to include wherein said browser configured to selectively display an historical log relating to navigational changes to said user interface because the partnership will reduce business costs by introducing efficient information retrieval and processing.

***Response to Arguments***

11. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

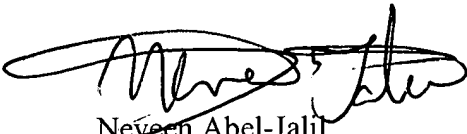
***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-Form 892 for list of Cited References.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Neeven Abel-Jalil  
July 21, 2006